

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JAMES L. BROOKS,

Plaintiff,

No. CIV S-03-2343 JAM EFB P

vs.

EDWARD S. ALAMEIDA, et al.,

Defendants.

ORDER

Plaintiff is a prisoner without counsel seeking relief for alleged civil rights violations. *See* 42 U.S.C. § 1983. The November 15, 2007 discovery and scheduling order established May 2, 2008 as the deadline for filing dispositive motions in this action. Dckt. No. 103. After receiving several extensions of time, defendants, on December 24, 2008, notified the court of their intention not to file such a motion. Dckt. Nos. 122, 137, 138. Thereafter, the parties were directed to file pretrial statements. Dckt. No. 152. The action was also scheduled for a settlement conference. Dckt. No. 165. However, plaintiff's failure to notify the court of a change of address resulted in a delayed settlement conference. *See* Dckt. Nos. 168, 169. The September 27, 2010 settlement conference did not result in a settlement. Dckt. No. 173. Thus, pending the issuance of a pretrial order, this action is ready for trial. Now, however, defendants move, again, to amend the scheduling order and extend the time for filing a dispositive motion,

1 notwithstanding the fact that they were previously granted extensions of time to file such a
2 motion and notified the court of their intent not to file such a motion.

3 The docket currently reflects that plaintiff's address is California State Prison, Los
4 Angeles County, P.O. Box 8457, Lancaster, California, 93539-8457. However, defendants
5 recently filed several motions, which were served on plaintiff at P.O. Box 330875, Palmdale, CA
6 91333-0875. Dckt. Nos. 174-178. A party appearing without counsel must keep the court and
7 all parties apprised of his current address. E.D. Cal. Local Rule 183(b).

8 Accordingly, it is hereby ORDERED that:

9 1. Within 21 days of the date of this order, plaintiff shall file a response to defendants'
10 motion to modify the scheduling order to extend the dispositive motion deadline.

11 2. Within 21 days of the date of this order, plaintiff must file a notice of change of
12 address, if applicable.

13 3. Failure to comply with this order may result in a recommendation that this action be
14 dismissed without prejudice.

15 4. The Clerk of the Court is directed to serve this order on plaintiff at both addresses
16 listed herein.

17 Dated: November 19, 2010.

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EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE